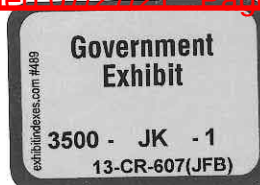


2:15 meeting that
Kaiser claimed NO
NOTES were taken
-- Komaterdity
claimed NOTES
may have been
taken **BEFORE** the
meeting during
Rebuttal
Summation!?!? --
Tr.5992:lines 8-10



Scott R.
Matt G - F.B.I.
John Kaiser

Oct. 19, 2010 11AM

2002 Vacation - Hawaii - after 9/11/01 = Main Island
- saw property = cheap w/ Chris Manfredi
\$700K purchase price = \$100K down payment
= (JK) - trying to raise \$
= had properties in NY to sell (JK)'s part \$
= couple homes -

(CM) had friend = James Milang - lives on Long Island
Phil Kennen know

introd to (JK)

had hockey clients/investors = to start purchasing property in Hawaii

starting
closings

2005 closed on some more parcels
= 6,000 acres total = kept adding/buying more adjacent properties

= Lehman - comes in = Windwalker - developer
Scott Lehman brought in

(JK)'s investment amt = \$1.1M - (JK)

family members to

(JK) \$1.2M = sold house in NY
took \$1.1M to pay family off

= Masood Maffi - Lehman Bros.
- got a piece of Hawaii deal

260 acres - 1st piece of Hawaii investment
just kept buying/expanding ~~and~~ 6,000 acres total

= Alan Warden = Windwalker = Accountant/contact

Kaiser confirmed to the FBI -- vetting loan meetings with Jowdy before the loans began...

Kaiser is Hawaii LLC managing member at the time of this proffer...

(PK) met Jowdy = 2x in NYC

(1) times

in NYC = Trust

(2003) = Jowdy restaurant discuss:

there @

(PK)

(KJ) - with a girl

= discuss project in Hawaii
= funding in Mexico

(2) time

another time @ a bar = in NYC = bar

- discussed Hawaii

- lending \$ from Hawaii to Mexico

(KJ)

(JK)

(JK) - not sure how (KJ) + (PK) met

(JK) = saw (KJ) in Mexico couple times

again discussed

(KJ) wanted to borrowing \$ from Hawaii to Mexico
would pay back after closing

(2)

brought up borrowing \$ from Hawaii project
borrowed millions from Hawaii project
- 1st was going to be \$100'sk = not millions
- not happy \$ gmt started to grow to Millions of \$ to Mexico

2004 Hawaii loan agreement

was Agreement to borrow \$ from Hawaii-

to JK - don't worry all it will come back; get repaid

- in NYC

discussed \$ from Hawaii to Mexico

- just to be used for Mexico

no other project

Question to JK:

2006 update Letter on Hawaii project -

- JK - yes, I recall letter

PK - made these many times

"Update" emails in Galioto's possession in October 2010

Attorney Madia update letters from Kenner to the investors per Kaiser proffer...

never got \$ back from JK / Mexico

Kaiser does NOT say that this is money that he was unaware of at the time of the loans -- notwithstanding the fact that Kaiser would still (according to his EDNY testimony) have been missing millions from the CA closing almost 2 years prior and Hawaii 4 years prior -- if actually TRUE!

3

Eufora

2007 = (JK) met Tommy Constantine in AZ @ (PK)'s house

(TC) = intro'd as self made millionaire to (JK)

(JK) = heard about Eufora thru players / guys that Eufora - company will be big one day

in beginning = need couple hundred thousand @ first

(JK) = \$2.2M - over 3yr period invested

(JK) borrowed from family - majority of \$
- mother
- brothers - Keith

(JK) = includes (JK)'s friends \$ -
- (JK) - got 4 friends to invest

Donny Rae → ex-hockey player - lives in AZ
- bringing investors in Hawaii

(JK) = met (DR) - 1yr ago = heard of him prior
- when put house for sale in AZ - (JK)'s house
- Brian Berard & (JK) own - 2 1/2 yrs ago bought
- (JK) - raised \$ from friends to buy house in AZ

(4)

- Tim Gaarn - used to work in banking industry
- 1st intro to Lehman from (TG)
- not invested in Hawaii

Hawaii managing member Kiaser verifies known-consulting arrangement with Constantine -- while, INFRA, confirms he saw the Hawaii bank records with over 2 dozen transfers to Constantine -- full transparency...

→ = (TC) - trying to ~~raise~~ ^{fund} \$ for Hawaii w/ own funds
- suppose to use own \$ to fund Hawaii

ultimately \$ came from friend of (TC)
B4M - waikapuna closing

Kaiser confirms consulting deals for Gaudet and Gaarn from Hawaii

Robert Gaudet
(JK) met (RG) - = golf pro
= knows people in Mexico
= tried to get \$ for Hawaii

believe above indiv. getting paid for getting \$
= (RG)
= (TG)

RG -- Robert Gaudet and
TG -- Tim Gaarn

1st heard
2005 = heard of Eufora from (JK) & players

(TC) = showed (JK) Agreements w/ banks & credit card companies
= wanted increase ownership in Eufora → (TC)'s own shares in
→ appeared to be great company → (JK)

(5)

and Mark Ambrosio
= Dish Zero = (TC) running \$ from Eufora
Taser = accounts to these investments
Sergei Gonchar \$ going to

all (JK) investment \$ to (TC) went from
(JK) = TD Bank accts

//
(JK) - rec'd couple hundred thousand back
from (PK)

(JK) from granted \$ for renovation (PK)
house in AZ

(PK) ← (JK) - gave (PK) \$ from his house sale in
Smithtown, NY
- (PK) never repaid
(PK) needed \$
for Myrick
lawsuit

\$500,000 of these funds were immediately transferred to Kenner by Kaiser for the documented Kaiser (individual) purchase of land from Kenner in Mexico (los Frailes) -- also unknown to Kenner, Kaiser's friends and family -- **BUT** -- concealed by Galioto, Wayne, and AUSA Beckmann (ECF No. xxx at xxx)

(JK) - living in Vegas - Condo
- house in AZ is wife's from divorce

Kaiser took money from his handicapped brother, his DEA friend Bobby Rizzi, and his doctor friend Sconzo (whom he later robbed for another \$200,000 admitted by the Gov't in their forfeiture brief)...

(JK) = Palms Condos

(TC) - new Malibu in Vegas

2007
or
2008

invested - (JK) friends 13

① Keith Kaiser - brother

② Bobby = Police Officer

③ = and doctor friend of (JK)

\$550K together
for penthouse
@ Palms

Jay McKee } on Note = 2 separate units
Mike Peca }

get 15%
from #

- promised by (TC)

closing went through (TC)

went into it
to buy & sell
quickly

(JK) - was not involved in Palms R/E
- as far as (JK) remembers

For a non-participant--Kaiser knew the GSF details that contributors had no clue 6-years later...

Global Settlement Fund - set-up by (TC) = w/ (CT)
- pay Ethel Morra back - from Palms
- Eufora - \$
- Mexico - players \$

Clearly -- no closing "with Kaiser" EVER occurred...

used to straighten \$ investment mess which happened throughout years.

Eufora = (TC) instructed Ronald Richard to send \$ to Eufora acct so he can distribute to players = GS Fund \$
Palms (TC) instructed (JK) friends - investment \$ - to go to Ronald Richards - not Eufora

(7)

(JK) involved w/ → renovated - (JK)'s brothers did work
= Hermosa Beach - house - (PK) - owned the house sold
- (PK) - owes \$ from house construction / renovate

- (JK) - brothers worked on house = took 4 months

(JK) - raised funds to buy house from:

= (JK) - mother

- brothers

- friends

(JK) - not rec'd \$ from (PK) on house yet
→ (PK) - will get \$ from Hermosa Beach house when
AZ house sells

= on market now

(JK) met (NJ) in Hawaii

* Nick James -

= did stuff for playboy racing + (TC)

(NJ) called (TC) to get married
\$70k-80k - asked \$ from (PK) = (PK) said no
↳ borrowed from (PK) →

(NJ) did not work or invest in Hermosa Beach house

(8)

Los Frailes - investment

~2005

-(JK) + has friends invested in
~\$1M

(JK) - included in the \$1M.

purchase property + develop

↓
\$1M used to purchase property ⇒ sell parcels to
get \$ back from 1st investment

→ Bobby Goudet - told (JK) about investment

(JK) - not involved in Los Frailes

↓
does have clients involved / hockey players

(JK) - went down there w/ friends to see

(JK) - 6 mos. ago in Cabo ⇒ Tandy project

⇒ golf course - done

⇒ suppose to put up condo

⇒ never went to North property
DDM

(9)

BSA-6M - (KJ) borrowed Fred loaned

- borrowed from Hawaii project - to Mexico

(KJ) borrowed from Glen Murray too for Mexico.

(KJ) might have repaid couple hundred thousand to Hawaii

→ (JK) - did see Hawaii bank acct statements

- accountant for Hawaii project

(JK) not rec'd k-1's ever

(JK) will get name of accountant before Lehman came in.

(JK) never rec'd k-1's from Hawaii

= took two yrs to get it from Allan Warden

will receive k-1's soon

As managing member of the Hawaii LLC--Kaiser confirms seeing all of the Hawaii bank statements -- so (1) there could be no questions where the \$1mm from his friends and family went after deposits in the NEW KAU HOLDINGS ACCOUNT; (2) Kaiser saw all of the Constantine consulting payments; and (3) Kaiser was 100% aware of all the Jowdy loan payments and re-payments...

Agent wrote END TIME -- even though Kaiser disputes seeing agents taking notes during a 2 hour and 15 minute meeting at Kaiser's home during EDNY testimony... Tr.1120-1122

END
1:15 PM

(10)